

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JASON GOODWILL,

Plaintiff,

v.

Case No. 18-cv-1712-pp

KENT HOFFMAN,

Defendant.

**ORDER DIRECTING PLAINTIFF TO SUBMIT PETITION TO PROCEED
WITHOUT PREPAYMENT OF FILING FEE AND CERTIFIED COPY OF SIX-
MONTH ACCOUNT STATEMENT WITHIN TWENTY-ONE DAYS OF THE
DATE OF THIS ORDER**

Plaintiff Jason Goodwill, a pretrial detainee who is representing himself, filed a civil rights complaint alleging that the defendant violated his constitutional rights. Dkt. No. 1. On October 30, 2018, the clerk's office directed him to either pay the filing fee, or to file a request to proceed without prepayment of the filing fee along with a certified, six-month trust account statement within twenty-one days. Dkt. No. 2. The plaintiff has filed a letter stating that the Sheboygan County Detention Center (SCDC), where he is confined, has no "prison trust account." Dkt. No. 3 at 1. He also states that the SCDC no longer provides him with copies. Id. He attached a copy of an Inmate Request Form, in which he states that "[o]n 11/07, over P.A., I was informed my request for a copy of my 'prison trust account statement' falls under new S.C.D.C. policy that S.C.D.C. no longer provides copies, especially for legal. I

want to see that policy and the law supporting it. I also want a written response to my Nov. 01st request.” Id. at 2. It appears that the staff received that Inmate Request Form on November 9, 2018, and responded the same day, “Implemented by #39, May 2018—Open Records Law. Request Denied.” Id. The plaintiff then wrote, “Who is #39? Implemented in what printed form?” Id.

The plaintiff requests an injunction against the SCDC and the sheriff “over a policy and practice meant to obstruct reporting court officers for criminal acts, by denying a decent law library and means to copy and to obtain records.” Id. at 1.

This is the sixth case the plaintiff has filed in this district since 2012. In case nos. 12-cv-1093, 12-cv-1094 and 12-cv-1095, he filed motions to proceed without prepaying the filing fee, but did not attach his trust account statement, alleging that Fox Lake Correctional Institution was obstructing his ability to provide his trust account statement. In case no. 17-cv-1326, he sued the Sheboygan County Detention Center, filed a motion to proceed without prepaying the filing fee, but did not attach a trust account statement. Judge Jones ordered him to file the trust account statement by a date certain or pay the filing fee; twelve days later, the court received the plaintiff’s trust account statement from the SCDC. In case no. 18-cv-129, the plaintiff filed a complaint but—as in this case—did not pay the filing fee or file an application to proceed without prepaying it. Judge Jones ordered him to do one or the other by a date certain. He did not comply with that order, and on April 18, 2018, Judge Griesbach dismissed that case.

The plaintiff is well aware that when he files a federal complaint, he must either pay the \$400 filing fee, or he must file an application to proceed without prepaying the fee and attach a copy of his trust account statement from the institution where he is in custody. The SCDC *does* have trust account statements, as the plaintiff knows. If the plaintiff wants this court to consider the claims in his complaint, he must either pay the \$400 filing fee or file the application and the trust account statement. The court will not issue an injunction against SCDC; if the plaintiff wants to make a claim that some policy of SCDC is unconstitutional, he must file a separate complaint making that allegation.

The court is enclosing a copy of the petition to proceed without prepaying the filing fee.

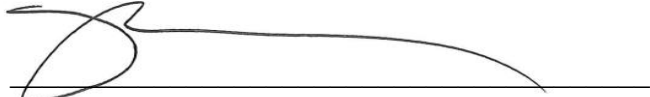
The court **ORDERS** that within **twenty-one days of the date of this order**, the plaintiff shall either pay the \$400 filing fee in full, or file a completed petition to proceed without prepaying the filing fee, accompanied by the required six-month trust account statement. If the court does not receive one of those two things—the filing fee, or the completed petition and the trust account statement—within twenty-one days of the date of this order, the court will dismiss the plaintiff's case for failure to pay the filing fee and failure to comply with this court's order.

The court will mail a copy of this order to the Administrator of the

Sheboygan County Detention Center, 2923 South 31st Street, Sheboygan,
Wisconsin 53081-4612.

Dated at Milwaukee, Wisconsin this 4th day of December, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge